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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

In Re:

Eric Lamback
Debtor(s)

Chapter 7

Bankruptcy Case: 11-18078

Hearing Date: 11/16/2011 @ 10:00 AM
Judge Eric Frank

Courtroom: 1

Motion of U.S. BANK NATIONAL ASSOCIATION, as Trustee, by its attorney in fact, Saxon Mortgage Services, Inc. c/o Ocwen Loan Servicing, LLC For Relief from the Automatic Stay under 11 U.S.C. UNDER §362(d) (and 1301) With Respect to Property: 751 Germantown Pike , Lafayette Hill, PA(the "Property")

U.S. BANK NATIONAL ASSOCIATION, as Trustee, by its attorney in fact, Saxon Mortgage Services, Inc. c/o Ocwen Loan Servicing, LLC (hereinafter "Ocwen"), through its Counsel, Stern & Eisenberg PC, respectfully requests the Court grant its Motion for Relief and in support thereof respectfully represents as follows:

1. Movant is U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE REGISTERED HOLDER OF Asset Backed Securities Corporation Home Equity Loan Trust, Series 2005-HE1 Asset Backed Pass-Through Certificates, Series 2005-HE1, by its attorney in fact, Saxon Mortgage Services, Inc. c/o Ocwen Loan Servicing, LLC with a place of business located at 1661 Worthington Road, Suite 100 , West Palm Beach, FL 33409.
2. Debtor(s) are Eric Lamback (hereinafter "Debtor(s)"), adult individuals whose last-known address is 751 Germantown Pike, Lafayette Hill, PA 19444 .

3. On 11/15/2004, Debtor(s) signed a note and mortgage in the principal sum of \$660,000.00, evidencing a loan from MERS, Inc., as nominee for WMC MORTGAGE CORP. in the same amount, secured by the Property, as evidenced by a mortgage duly recorded at the Recorded of Deeds for Montgomery County on 12/08/2004 in Book 11330, Page 1331.
4. By Assignment of Mortgage, the loan was ultimately assigned to U.S. BANK NATIONAL ASSOCIATION, as Trustee.
5. In order to delay the continuance or institution of foreclosure proceedings and impede Ocwen's rights, Debtor(s) instituted the instant Bankruptcy.
6. Debtor filed the instant Chapter 7 Bankruptcy on 10/18/2011 and as a result, any State Court proceedings were stayed.
7. It is believed and therefore averred that Debtor(s) filed the instant bankruptcy solely as an additional delay and stalling tactic to prevent Movant from proceeding with the State Court proceedings or otherwise institute proceedings as allowed under the Mortgage.
8. Debtor(s) is contractually due for the following payments (and all subsequent payments):

i. Monthly payments in default since:	1/1/2011
ii. Amount of Monthly payments:	\$3733.60
iii. Amount of Monthly late Charge:	\$151.44
iv. Total payment arrears:	\$38,850.40
9. In addition, Ocwen has incurred counsel fees and costs in association with Debtor(s)' default and this motion in the amount of \$700.00.
10. As a result of the Debtor(s)' default and failure to make payments or to otherwise fail to adequately provide for Ocwen in the bankruptcy filing, Ocwen is not adequately protected and is entitled to relief.
11. There is no equity in the Property for the benefit of the Estate.
12. Movant requests that the stay of Bankruptcy Rule 4001 (a)(3) be waived.

WHEREFORE, Movant, U.S. BANK NATIONAL ASSOCIATION, as Trustee, by its attorney in fact, Saxon Mortgage Services, Inc. c/o Ocwen Loan Servicing, LLC respectfully requests this Court to grant the appropriate relief under 11 U.S.C. §362 (and 1301) from the automatic stay as set forth in the proposed order.

Respectfully submitted,

STERN & EISENBERG PC

BY: /s/Steven K. Eisenberg
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